

REMARKS

The application has been carefully reviewed in light of the Office Action dated October 20, 2005. Claims 1 to 20 are in the application, with Claims 19 and 20 having been withdrawn from consideration pursuant to a restriction requirement. Claim 1 is the sole independent claim under consideration. Claim 3 has been cancelled without prejudice. Claims 1, 2, 4 to 10, and 15 to 19 have been amended herein, which amendments include the incorporation of subject matter from Claim 3 into Claim 1. Reconsideration and further examination are respectfully requested.

Claims 1 to 8 and 13 to 17 were rejected under 35 U.S.C. § 102(b) over Japan 2-134747 (JP '747). Claims 1, 6 to 8, 10 to 12, 15, and 18 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 5,272,322 (Nishida). Claim 9 was rejected under 35 U.S.C. § 103(a) over Nishida in view of U.S. Patent No. 5,777,310 (Liu). These rejections are respectfully traversed.

According a feature of the invention as recited by Claim 1, the plurality of marks is formed such that the marking positions of at least two consecutive ones of the plurality of marks are offset with respect to each other in a direction perpendicular to the direction of generation of the factor that hinders reading of the plurality of marks.

JP '747 is not seen to teach or suggest at least the foregoing feature.

JP '747 may be seen to describe recording data on an optical card 19 in a direction orthogonal to the transporting direction, and that the writing of the data is executed by color coding of black and white such that reading is not hindered by deformation of the card 19. (See Abstract of JP '747.) However, it is Applicant's

understanding that JP '747 pays no attention to the direction of generation of the deformation. Nowhere is JP '747 seen to describe that the data is made up of marks which are offset with respect to each other in a direction perpendicular to the direction of generation of the deformation.

Nishida and Liu are not seen to remedy the foregoing deficiencies of JP '747.

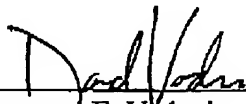
The dependent claims under consideration are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from the independent claim discussed above. Therefore, separate and individual consideration of each of these dependent claims is respectfully requested.

Applicants has not yet received an initialed Form PTO-1449 for the May 11, 2004 Information Disclosure Statement. Applicants respectfully request that the Examiner return an initialed Form PTO-1449 with the next Office communication.

The application is believed to be in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,

  
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